

1 THE HONORABLE RICHARD A. JONES  
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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 BLACK LIVES MATTER SEATTLE-  
11 KING COUNTY, ABIE EKENEZAR,  
12 SHARON SAKAMOTO, MURACO  
13 KYASHNA-TOCHA, ALEXANDER  
14 WOLDEAB, NATHALIE GRAHAM,  
15 AND ALEXANDRA CHEN,

16 Plaintiffs,

17 v.

18 CITY OF SEATTLE,

19 Defendant.

20 No. 2:20-cv-00887-RAJ  
21 DECLARATION OF AMES FRAZIER

22 I, Ames Frazier, declare and state as follows:

23 1. The information contained in this declaration is true and correct to the best of my  
24 knowledge, and I am of majority age and competent to testify about the matters set forth herein.

25 2. I have been out protesting police brutality in Seattle since early June. I am a  
26 transgender person, so I know what it's like to be discriminated against and treated unfairly. The  
injustice we've seen lately isn't new, but it needs to end. When I go out to protest, I am thinking  
not only about Breonna Taylor and George Floyd, but about all of the Black trans women who  
were murdered who gave me the right to be who I am. When I protest, I protest in their memory.

1       3.     On Wednesday, September 23, the night after prosecutors in Louisville decided  
2 not to charge Breonna Taylor's killers with murder, I protested in Capitol Hill.

3       4.     **That night, the Seattle Police Department hit me in the head with a**  
4 **flashbang, choked me with pepper spray and gas until I could not see or breathe, chased**  
5 **me until I had a panic attack and thought I would vomit and pass out, and badly injured**  
6 **many people around me.** I've been to many, many protests since the killing of George Floyd,  
7 including several with heavy police violence like the protests in early June and on July 25, but  
8 SPD's response on September 23rd felt especially brutal.

9       5.     There were about 400 of us out protesting at the beginning. For awhile, SPD  
10 followed behind us in their police vehicles, their lights flashing.

11       6.     At some point, SPD started aggressively pushing us back, as they always do. I  
12 was fairly close to the police, trying to move back, but with a huge crowd ahead of me. We  
13 yelled "move, move" at the protesters in front of us, trying to get them to make space so we  
14 could move. But at one point the crowd was just so backed up that we couldn't move at all,  
15 which was really scary.

16       7.     **SPD started throwing an inordinate number of flashbangs at us when we got**  
17 **to Broadway.** They threw so many at us that a woman on the sidewalk who was just walking by  
18 starting yelling at the police to stop it and stop terrorizing the neighborhood. Next thing I knew  
19 she was on the ground being dogpiled by a bunch of SPD officers.

20       8.     SPD bike officers rode along the sidewalks, corralling us in the street. When we  
21 got to Seattle Central, SPD allowed us to disperse onto the campus. Many of us went into Cal  
22 Anderson and regrouped, then went back onto 11<sup>th</sup> Avenue to continue marching.

23       9.     We ended up back at 11<sup>th</sup> Avenue and Pine. Our numbers were smaller now,  
24 though—maybe 200 of us. We stood there for awhile, waiting for another protest group to join  
25 us.

1       10.    A couple people built a barricade and lit it on fire. Other than this, the only time I  
2 saw a protester damage property that night was when someone spray painted a vehicle and  
3 immediately got arrested. The vast, vast majority of the crowd was not doing anything  
4 destructive or dangerous.

5       11.    Some people went towards the East Precinct, a block away. I heard an  
6 explosion of some kind happen at the East Precinct, and all of a sudden, protesters came running  
7 back down towards us, followed by bike cops.

8       12.    The bike cops moved around the fire onto the sidewalk and started pushing us  
9 back, pepper spraying the entire front line of protesters. **They must have directly pepper**  
10 **sprayed 20 people who hadn't done anything other than put their bodies on the front line.**

11       13.    I was a short distance behind the front line as SPD maced them all. **A girl in front**  
12 **of me turned around, screaming that she couldn't see.** I grabbed her and tried to move her  
13 towards Cal Anderson, and used eye wash to wash her eyes. My impression was that she had not  
14 intended to put herself on the front line—she just happened to be standing where police had  
15 decided to plant themselves. One of her friends took her to find a medic. I went back to join the  
16 other protesters at the intersection.

17       14.    **Police started throwing flash bangs indiscriminately and using some kind of**  
18 **chemical weapon that released a thick stinging gas.** I had on goggles but my eyes hurt so  
19 badly I couldn't see. I could hear someone yelling at me “don't touch your eyes!” I had on  
20 multiple masks and I couldn't breathe. I thought I was going to vomit. I staggered off to the side.

21       15.    The protesters I was with were backing away from the police, facing the police. I  
22 didn't want to leave the group but I was terrified and injured enough that I felt like I needed to  
23 put more distance between myself and the police, so I turned around and started walking away  
24 faster, with my hands up.

25       16.    **SPD continued to lob explosives at the retreating crowd.** Some people were  
26 panicking and running, so the crowd was moving faster now, and it was hard to keep up.

1       17. **At Broadway and Pine, I watched an SPD officer roll his bike over the neck**  
2 **of a protester laying in the street.** It was absolutely horrifying. I started screaming, pleading  
3 "Somebody do something!" I wanted to run over and help this seriously injured person but I  
4 knew from experience that if I did that, I would be arrested. I felt so helpless. The inhumanity of  
5 the SPD officers who did this and who watched it happen nonchalantly was just staggering.

6       18. **SPD started throwing an incessant stream of flashbangs at us as we**  
7 **retreated. The bangs were coming like every 1-2 seconds. It felt nonstop.**

8       19. **SPD was throwing the flashbangs into the air, and they would fall randomly**  
9 **in our crowd of 150-200 people. It seemed completely indiscriminate, not targeted at**  
10 **anyone in particular.** The flashbangs would click, and then explode, and the explosions were so  
11 loud it always sounded like they were exploding right near me. It was disorienting and really,  
12 really scary.

13       20. At an intersection, a car pulled forward and stopped, separating the police who  
14 were attacking us from the protest. Almost instantly, a cop punched a hole through the window. I  
15 felt someone pulling me backwards fast. Several NLG legal observers wearing lime green  
16 helmets tried to record the police interaction with the driver, but the cops pushed them away and  
17 wouldn't let them observe.

18       21. **SPD kept throwing flashbangs at us. One hit me in the head. I felt something**  
19 **heavy hit my helmet at a really fast speed, as if someone had thrown a rock at my head as**  
20 **hard as they could.** When I got home later that night, I saw several long gashes in my helmet  
21 where the flashbang hit me. A photo of my scarred helmet is attached as Exhibit A.

22       22. **I heard the girl behind me yell "I think I've been hit." I turned around, and**  
23 **she was holding her head, and seemed really disoriented. She pulled her hand away from**  
24 **her head and even in the dark, I could see that it was covered in blood, and blood was in**  
25 **her braids.** She seemed to be in shock. Her friends started screaming at the top of their lungs for  
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1 a medic. A video of these events is available here:

2 <https://twitter.com/JonathanLit/status/1309079252013375489>.

3 23. Her friends rushed her to the front of the protest to get her medical attention. The  
4 next time I saw her, an evacuation truck had pulled up, and she had her head wrapped in a  
5 pressure bandage. The medics put her in the back of the truck and took her away.

6 24. SPD gassed us again. There was so much gas that I could not see or breathe. I  
7 couldn't see both because my eyes were swollen and stinging from the chemicals and because  
8 the air was opaque, thick with a cloud of gas and smoke. I was disoriented and stumbling. A  
9 friend of mine grabbed me and helped carry me along. It took me awhile to realize it was my  
10 friend because I couldn't see anything.

11 25. All I wanted was to leave, but SPD wasn't letting us. I started crying out, "I just  
12 want to go home." My friend tried to convince me to run so I could leave, but I was afraid if I  
13 tried to leave, SPD would arrest me. I can remember at least three people I saw at this protest  
14 who tried to peel off and got arrested. SPD so often arrests people who try to leave the crowd  
15 that when we see someone peel off to the side, the crowd usually starts screaming "don't leave,  
16 don't leave" out of concern for their safety.

17 26. **Someone in the crowd reported that SPD had started firing rubber bullets.**  
18 At this news, I started having a panic attack. I thought I was going to pass out. I spoke later with  
19 several friends who said they were hit by rubber bullets.

20 27. A medic found me struggling to breathe and on the verge of collapsing and tried  
21 to evacuate me, but there was no way out. As we made our way through residential streets, I  
22 scanned the doors to see if there was a building that was open that I could escape into to hide, but  
23 there was nowhere.

24 28. We were trying to get to Cal Anderson in the hopes that police would let us  
25 disperse there and stop brutalizing us.

1       29. When we reached Nagel and Pine, at the corner of the park, SPD started macing  
2 us again. I watched them soak one protester in such a thick coat of pepper spray that he staggered  
3 into the park and started vomiting.

4       30. In the park, I saw SPD vehicles, including the paddywagon, circling the park.  
5 People started running and yelling “the cops are coming,” freaking out. I saw officers walk  
6 through the park and start grabbing people in the houseless encampment area and arrest them.  
7 Given how brutal and relentless SPD had been that night, it seemed like the most likely scenario  
8 at that point was that they would arrest us all. I was so sick with fear that I briefly contemplated  
9 whether I should try to take shelter in a tent in the encampment, but I realized that would just  
10 endanger everyone else there.

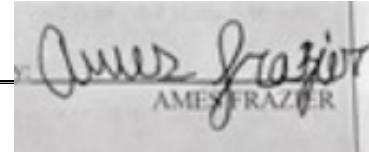
11       31. I found a group of friends at the top of the hill. My car was parked close by, but I  
12 was too scared of the police to walk to my car on my own, so I stayed with the group until an  
13 evacuation car got us and dropped me off at my car.

14       32. That night, I had so many nightmares that I woke up several times screaming. I  
15 am still having nightmares four days later and I feel jumpy at loud noises and paranoid when I  
16 see police cars.

18       Executed this 27th day of September 2020 at SEATTLE, WASHINGTON.

19       I declare under penalty of perjury under the laws of the United States and the State of  
20 Washington that the foregoing is true and correct.

22       By: Ames Frazier

A rectangular image containing a handwritten signature in black ink. The signature reads "Ames Frazier". Below the signature, the name "AMES FRAZIER" is printed in a smaller, sans-serif font.

# **Exhibit A**

